

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

JAMES J. DONELON,  
*Commissioner of Insurance for the  
State of Louisiana, in his Capacity as  
Rehabilitator of Excalibur National  
Holdings, Inc.*

CIVIL ACTION

VERSUS

JEFFREY C. POLLICK, ET AL.

NO. 20-00177-BAJ-RLB

RULING AND ORDER

Before the Court is Plaintiff's Motion for Leave to File First Amended and Restated Petition for Damages and Jury Demand (Doc. 22) ("Motion to Amend"), and Plaintiff's Motion for Remand (Doc. 23). The Magistrate Judge has issued a Report and Recommendation (Doc. 87), recommending that each motion be denied. Plaintiff objects to the Magistrate Judge's Report (Doc. 88).

Having carefully considered Plaintiff's motions and related filings—including the Notice of Removal, state court record, and Plaintiff's objections to the Magistrate Judge's Report—the Court **APPROVES** the Magistrate Judge's Report and Recommendation and **ADOPTS** it as the Court's opinion in this matter.

Accordingly,

**IT IS ORDERED** that Plaintiff's Motion for Remand (Doc. 23) be and is hereby **DENIED**.

**IT IS FURTHER ORDERED** that Plaintiff's claims against Dennis P. Neyland be and are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Leave to File First Amended and Restated Petition for Damages and Jury Demand (Doc. 22) be and is hereby **DENIED**.

Baton Rouge, Louisiana, this 10<sup>th</sup> day of December, 2020



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**JUDGE BRIAN A. JACKSON  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**